

## REMARKS

**[0004]** In the above referenced office action, Claims 1-53 stand rejected. Claims 1, 27, 33, 38, 42, 47, and 50 are being amended. Claims 1-53 are pending in the application. No new matter is being added.

### Claim Rejections Under 35 USC § 101

**[0005]** Claims 1-53 are rejected under 35 USC § 101 because the claims are directed to non-statutory subject matter. Specifically, the OA (item 3, page 2) asserts that "Claims 1-53 are claiming 'types of data'; however, it appears that they would reasonably be interpreted by one of ordinary skill in the art as non-functional descriptive material per se." For the reasons set forth below, Applicants respectfully traverses the rejections of the Claims 1-53 and reconsideration is hereby respectfully requested.

**[0006]** Applicants respectfully submit that the OA interpretation of "types" being the same as "types of data" is misplaced. Per MPEP §2111.01: "Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim"; and "Any special meaning assigned to a term 'must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention'." As expressly stated in the Abstract and paragraphs [0032] and [0038] of the instant Application, "the programming interface includes one or more of the following groups of types or **functions**" (emphasis added). That is, the word 'types', as used in the Claims 1-32, is defined to be the same as 'functions'. In addition, Claims 33-53 do not include any reference to the word 'types'.

**[0007]** Without conceding the propriety of rejections herein and in the interest of expediting prosecution and quickly identifying allowable subject matter, Claims 1, 27, 33, 38, 42, 47, and 50 are being amended. Such amendments are merely intended to clarify the claimed features, and should not be viewed as further limiting the claimed invention in response to the cited prior art. In view of the amendments presented herein to the Claims 1, 27, 33, 38, 42, 47, and 50, Applicants respectfully submit that Claims 1-53 are in compliance with the patentability requirements of 35 USC § 101. Accordingly, the Applicants respectfully request the Examiner to withdraw these rejections.

#### Rejections Under 35 USC § 102(e)

**[0008]** Claims 1-26 have been rejected under 35 USC § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0009694 to Wenocur et al. (hereinafter "Wenocur"). For the reasons set forth below, Applicants respectfully traverses the rejections of these claims and reconsideration is hereby respectfully requested.

#### Cited Reference

**[0009]** The Wenocur reference (paragraph [0001]) describes a method and system for providing secure communication of messages between a source and a receiving device. The Wenocur reference (Abstract) describes a "System, method, signal, operating model, and computer program for electronic messaging. Systems and method for providing security for communication of electronic messages, interactive sessions, software downloads, software upgrades, and other content from a source to a receiving device as well as signals used for such communications. Systems, methods, signals, device architectures, data formats, and computer program structures for providing authentication, integrity, confidentiality, non-repudiation, replay protection, and

other security properties while minimizing the network bandwidth, computational resources, and manual user interactions required to install, enable, deploy and utilize these security properties. System, device, method, computer program, and computer program product for searching and selecting data and control elements in message procedural/data sets for automatic and complete portrayal of message to maintain message intent. System, device, method, computer program, and computer program product for adapting content for sensory and physically challenged persons using embedded semantic elements in a procedurally based message file."

#### Overview of Instant Application: Programming Interface File System Structure

**[0010]** As noted in paragraph [0010] of the instant Application, "Traditionally, applications have 'owned' their own data, with each application being responsible for managing its own data (e.g., retrieving, saving, relocating, etc.) using its own formats. This traditional structure has problems, however, as it makes searching for related data across applications very difficult, if not impossible, and frequently results in similar information having to be entered in multiple places."

**[0011]** To address the this issue, among others, and to address the issue of providing an integrated set of programming interface functions between an application program, an operating system, and computer hardware, the instant Application (paragraph [0011]) describes "a unique set of programming interface functions" to solve the integration challenges. In one implementation, a programming interface for a computer platform can include various functionality. In certain embodiments, the programming interface includes one or more of the following groups of types or functions: those related to core file system concepts, those related to entities that a human being can contact, those related to documents, those common to multiple kinds of media, those specific to audio media, those specific to video media, those specific to image media, those specific to electronic mail messages, and those related to

identifying particular locations. Applicants provide this overview to help the Office in understanding the context of the subject matter of the pending claims, especially in regard to the traditional approach where each application is responsible for managing its own data. To clarify, Applicants note that every independent claim now recites “programming interface” and “file system”.

### Anticipation Rejections

**[0012]** For the reasons set forth below, Applicants submit that the cited reference fails to provide sufficient evidence to support the findings and legal conclusion set forth in the Office Action (OA). As stated specifically below, the Wenocur reference fails to provide sufficient evidence under the § 102 standards. Accordingly, Applicants respectfully request that the § 102 rejections be withdrawn and the application be passed to allowance.

### Currently Amended Claim 1

**[0013]** The OA states (item 6, page 3) the following with regard to Claim 1:  
As per claim 1, Wenocur et al. discloses a programming interface embodied on one or more computer readable media [0123], a first group of types related to core file system concepts [0118]; a second group of types related to entities that a human being can contact [0712]; a third group of types related to documents [0104-0105]; a fourth group of types common to multiple kinds of media [0719, 0840]; a fifth group of types specific to audio media [0735]; a sixth group of types specific to video media [0719]; a seventh group of types specific to image media [0117]; an eighth group of types specific to electronic mail messages [0094]; and a ninth group of types related to identifying particular locations [0088].

**[0014]** To clarify the claimed subject matter and to expedite prosecution, Applicants have amended Claim 1 to include the limitations, “direct a device to provide a **programming interface having multiple groups of types**”, and “wherein **the programming interface provides callable multiple functions**, wherein **each one of the multiple groups of types provides a corresponding set of related ones of the**

**multiple functions**" (emphasis added). Support for the limitations is described in paragraphs [0032], [0038] and [0039] of the instant Application. The Wenocur reference (paragraphs [0123], [0118], [0712], [0104-0105], [0719], [0840], [0735], [0117], [0094], [0088]) does not teach or suggest the limitations that include the "programming interface having multiple groups of types" and "each one of the multiple groups of types provides a corresponding set of related ones of the multiple functions".

**[0015]** Specifically, the Wenocur reference (paragraph [0118]) teaches "Applications 148 includes, for example, one or more of the following computer program applications: (a) a Web browser (not shown) such as Netscape Navigator.RTM. or Microsoft Internet Explorer.RTM., for accessing a Web page served from sending story server 302; (b) any of a number of commercially available XML Editors for creating document 154. Other applications may also be stored or provided, for example, multimedia authoring systems, story mail applications, templates for other applications such as spreadsheets, multimedia and/or XML database managers." However, the Wenocur reference does not teach or suggest the "programming interface" that includes "a first group of types related to core file system concepts". Again, for context, Applicants emphasize the claim terms "programming interface" and "file system" and respectfully request that the Office consider the traditional application-based management approach (see paragraph [0010] of the instant Application). Applicants further note that the claimed subject matter must be considered "as a whole"; not in a piecemeal fashion. As a whole, Applicants find the evidence in the Wenocur reference lacking (especially as to a programming interface and a file system). Below, Applicants take a more piecemeal approach by pointing to specific claim language and the Office's cited evidence.

**[0016]** The Wenocur reference (paragraph [0712]) teaches, "Story enabled client 336 includes, for example, computer program applications and data for playing a story received from a story server, for example, sending story server 302 and/or receiving

story server 328. Story enabled client 336 is, for example, a general-purpose computer, a notebook computer, a personal digital assistant, a telephone, a set-top box, an Internet e-mail appliance, a movie marquee, an informational kiosk, a billboard, a gasoline pump, a vending machine, an instructional appliance, an automobile display device, a GPS system, a point-of-sale display, and the like. Story enabled client 336 starts life as a conventional email client 340. It becomes story email client 336 when story enabling software is downloaded or installed from a network or direct connection to another device. Story device 344 has the story enabling software built in by the manufacturer". However, the Wenocur reference does not teach or suggest the "programming interface" that further includes "a second group of types related to entities that a human being can contact". Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0017]** The Wenocur reference (paragraphs [0104-0105]) teaches, "Document 154 is author once information created by using a number of structured document languages, for example, extensible markup language (XML), and Excel spreadsheet format, database records extracted with SQL, and the like". However, the Wenocur reference does not teach or suggest the "programming interface" that further includes "a third group of types related to documents". Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0018]** The Wenocur reference (paragraphs [0719] and [0840]) respectively teaches a database 152 that includes multiple kinds of media and a 'player' that is capable of handling multiple kinds of media. However, the Wenocur reference does not teach or suggest the "programming interface" that further includes "a fourth group of types common to multiple kinds of media". Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0019]** The Wenocur reference (paragraph [0735]) teaches a document 154 identifying an audio file in a particular language. However, the Wenocur reference does not teach or suggest the “programming interface” that further includes “a fifth group of types specific to audio media”. Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0020]** The Wenocur reference (paragraph [0719]) teaches a database 152 that includes multiple kinds of media. However, the Wenocur reference does not teach or suggest the “programming interface” that further includes “a sixth group of types specific to video media”. Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0021]** The Wenocur reference (paragraph [0117]) teaches the document 154 that includes a binary image having a particular resolution. However, the Wenocur reference does not teach or suggest the “programming interface” that further includes “a seventh group of types specific to image media”. Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0022]** The Wenocur reference (paragraph [0094]) teaches “Conventional e-mail client 340 is a typical e-mail client, for example, a general-purpose computer that is not able to execute, or play a story.” However, the Wenocur reference does not teach or suggest the “programming interface” that further includes “an eighth group of types specific to electronic mail messages”. Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0023]** The Wenocur reference (paragraph [0088]) teaches “sender/publisher 310 provides links, for example, a Uniform Reserve Locator (URL) address of the document

or other resource to be included in the story.” However, the Wenocur reference does not teach or suggest the “programming interface” that further includes “a ninth group of types related to identifying particular locations”. Hence, even if one took a piecemeal approach (as opposed to considering each claim as a whole), the Wenocur reference is lacking.

**[0024]** Therefore, under the standards of § 102, the Wenocur reference does not expressly or inherently teach or suggest each and every limitation of currently amended Claim 1, including “direct a device to provide **a programming interface having multiple groups of types**”, and “wherein **the programming interface provides callable multiple functions**, wherein **each one of the multiple groups of types provides a corresponding set of related ones of the multiple functions**” (emphasis added).

**[0025]** Consequently, for at least the above reasons, Applicants respectfully submit that anticipation rejection of currently amended Claim 1 is not valid, since anticipation rejection under § 102 requires that each and every element as set forth in the rejected claim is found, either expressly or inherently described, in a single prior art reference (MPEP §2131). Accordingly, Applicants request the Examiner to withdraw the rejection of currently amended Claim 1.

#### Claims 2-26

**[0026]** For reasons similar to those stated above in regards to currently amended Claim 1 rejected under 35 USC § 102, Claims 2-26 are allowable in their present form for at least this reason.



Rejections Under 35 USC § 102(b)

**[0027]** Claims 27-53 have been rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0152267 to Lennon (hereinafter "Lennon"). For the reasons set forth below, Applicants respectfully traverses the rejections of these claims and reconsideration is hereby respectfully requested.

Cited Reference

**[0028]** The Lennon reference (Title) describes a method for facilitating access to multimedia content. In the Lennon reference (Abstract) "A system is described in which a media browser (101), operating as a software application on a user terminal or preferably a server for a number of users, provides a user with a single user interface that facilitates browsing and searching different metadata collections over the Internet (102). A metadata server (212) is associated with each of the metadata collections. When the metadata server (212) receives a request from the media browser (101), the metadata server (212) interprets the request and replies with a description that satisfies the request and according to a predetermined scheme. The description contains at least one link which represents a return link which represents a return request to the metadata server (212). Specifically disclosed are methods (2000) for recording user location preferences at a service and using one or more lists of such preferences to focus searching responses to statistically desirable material. Monitoring the validity of a bookmarked location is also described."

Currently Amended Claim 27

**[0029]** The OA states (item 33, page 6) the following with regard to Claim 27: As per claim 27, Lennon discloses a method of organizing a set of types for a file system into a hierarchical namespace [0149] creating a plurality of groups from the set of types [0085-0086], each

group containing at least one type that exposes logically related functionality; assigning a name to each group in the plurality, wherein one of the groups in the plurality includes functionality related to core concepts of the file system, wherein another of the groups in the plurality includes functionality related to entities that a human being can contact, wherein another of the groups in the plurality includes functionality related to document types that can be stored in the file system, and wherein another of the groups in the plurality includes functionality related to multiple kinds of media; and selecting a top level identifier and prefixing the name of each group with the top level identifier so that the types in each group are referenced by a hierarchical name that includes the selected top level identifier prefixed to the name of the group containing the type [0073-0080].

**[0030]** To clarify the claimed subject matter and to expedite prosecution, Applicants have amended Claim 27 to include the limitations, **“the file system being one of multiple groups of types included in a programming interface”**, and **“each group containing at least one type that exposes logically related functionality of the programming interface”** (emphasis added). Support for the limitations is described in FIG. 3 and paragraphs [0032], [0038] and [0039] of the instant Application. The Lennon reference (paragraphs [0149], [0085], [0086], and [0073-0080], does not teach or suggest these limitations.

**[0031]** Specifically, the Lennon reference (paragraph [0149]) teaches schema definitions residing in a XML schema document. The schema document includes definitions of namespaces such as ‘mb’ and ‘xlink’. Attributes included in the namespaces are defined as namespace:attribute, e.g., xlink:show. However, the Lennon reference does not teach or suggest the organization of a file system into a hierarchical namespace, **“the file system being one of multiple groups of types included in a programming interface”**, and **“each group containing at least one type that exposes logically related functionality of the programming interface”**.

**[0032]** The Lennon reference (paragraphs [0085-0086]) teaches “A particular schema can use the core XLink and media browser attributes when declaring individual descriptors for a schema”. An exemplary schema shows reference to the media

browser and XLink namespaces made via the namespace prefixes mb and xlink. Attributes included in the namespaces are defined as namespace:attribute, e.g., xlink:type. However, the Lennon reference does not teach or suggest creating a plurality of groups from the set of types of the file system, “the file system being one of multiple groups of types included in a programming interface”, and “each group containing at least one type that exposes logically related functionality of the programming interface”.

**[0033]** The Lennon reference (paragraphs [0073-0080]) teaches, “each XML element in a description (XML document) is declared to belong to a uniquely identified namespace. The XML document can then provide a hint to a processor, using the attribute schemaLocation (in the XMLSchema-instance namespace), for the location of a schema that contains definitions for a particular namespace”. Reference to the media browser is via the namespace prefixes mb and attributes included in the namespaces are defined as namespace:attribute, e.g., mb:id. However, the Lennon reference does not teach or suggest the limitation ‘prefixing the name of each group with the top level identifier so that the types in each group are referenced by a hierarchical name that includes the selected top level identifier prefixed to the name of the group containing the type’. That is, the Lennon reference (paragraphs [0073-0080]) does not teach or suggest a hierarchically referenced name such as rootnamespace.groupname.subgroupname, e.g., system.storage.synchronization as described in paragraph [0046] of the instant Application.

**[0034]** Therefore, under the standards of § 102, the Lennon reference does not expressly or inherently teach or suggest each and every limitation of currently amended Claim 27, including “**the file system being one of multiple groups of types included in a programming interface**”, and “each group containing at least one type that exposes logically related functionality of **the programming interface**” (emphasis added).

**[0035]** Consequently, for at least the above reasons, Applicants respectfully submit that anticipation rejection of currently amended Claim 27 is not valid, since anticipation rejection under § 102 requires that each and every element as set forth in the rejected claim is found, either expressly or inherently described, in a single prior art reference (MPEP §2131). Accordingly, Applicants request the Examiner to withdraw the rejection of currently amended Claim 27.

Claims 28-32

**[0036]** For reasons similar to those stated above in regards to currently amended Claim 27 rejected under 35 USC § 102, Claims 28-32 are allowable in their present form for at least this reason.

Claims 33-53

**[0037]** Independent Claims 33, 38, 42, 47, and 50 have been amended to include limitations similar to the currently amended Claim 27. For reasons similar to those stated above in regards to currently amended Claim 27 rejected under 35 USC § 102, Claims 33-53 are allowable in their present form for at least this reason.

**CONCLUSIONS**

**[0038]** For the foregoing reasons, the Applicants respectfully submit that the present application is now in a condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending Claims 1-53.

**[0039]** Should the Examiner deem that any further action by the Applicants would be necessary for placing this application in condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

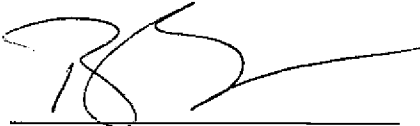
Respectfully submitted,

Lee & Hayes, PLLC

Customer No. 22801

Dated: \_\_\_\_\_

9-10-09



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